



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL**

TWO POTOMAC YARD  
2733 SOUTH CRYSTAL DRIVE  
ARLINGTON, VA 22202

**DATE:** 03/28/2014

**PREPARED BY:** SA (b) (6), (b) (7)(C)

**COMPLAINT #:** COMP-2014-78

**CROSS REFERENCE #:**

**TITLE:** ALCOHOL INTOXICATION/USAGE ON DUTY, GS-13

**COMPLAINT SUMMARY REPORT**

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	Washington, DC	

**COMPLAINT:** Subject reported to work intoxicated and used alcohol during duty hours while management and human resources were aware and took no action on the matter.

**BACKGROUND:** On 20 March 2014, Special Agent (SA) (b) (6), (b) (7)(C), U.S. Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Investigations (OI), Washington Field Office, was referred EPA OIG Hotline complaint 2014-002. On 31 October 2013 an anonymous caller to the EPA OIG Hotline alleged (b) (6), (b) (7)(C), (b) (7)(D) reports to work intoxicated and drinks alcohol during duty hours. (b) (6), (b) (7)(C), (b) (7)(D)

**INVESTIGATIVE FINDINGS:** The Reporting Agent reviewed (b) (6), (b) (7)(C) electronic official personnel file (eOPF) on 26 March, 2014. An official letter of reprimand was issued to (b) (6), (b) (7)(C) on 11 February, 2014 for misconduct related to alcohol. The letter of reprimand was written by (b) (6), (b) (7)(C). The letter of reprimand will remain in (b) (6), (b) (7)(C) eOPF for two years. The letter also urged (b) (6), (b) (7)(C) to seek assistance from the EPA's Employee Counseling and Assistance Program. The allegation that (b) (6), (b) (7)(C) supervisor and EPA Human Resources were aware of the problem and took no action is not supported.

**RECOMMENDATION:** Closure of this complaint. Official disciplinary action was taken against the subject by a supervisor. No further investigative activity is anticipated.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: November 13, 2016

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-DA-2016-ADM-0066

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C), GS-13, (b) (6), (b) (7)(C)  
TIME AND ATTENDANCE FRAUD AND POSSIBLY  
UNDER THE INFLUENCE OF ALCOHOL OR DRUGS DURING DUTY HOURS

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	

VIOLATION(S):

The potential violations are 18 U.S.C. 641, (Theft) Public, Money or Records and 5 U.S.C. 2635, Standards of Ethical Conduct for Federal Employees of the Executive Branch.

**ALLEGATION:** As background, on May 5, 2016, (b) (6), (b) (7)(C), Office of Investigations, Office of the Inspector General, United States Environmental Protection Agency, Dallas, Texas, met with (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), reported (b) (6), (b) (7)(C), EPA (b) (6), (b) (7)(C) was not at (b) (6), (b) (7)(C) stated telework location, (b) (6), (b) (7)(C), on Tuesday, May 3, 2016, and possibly under the influence of alcohol or drugs during duty hours. (b) (6), (b) (7)(C) informed (b) (6), (b) (7)(C) the allegations were reported by (b) (6), (b) (7)(C). This case was referred to Special Agent (b) (6), (b) (7)(C), EPA OIG Hotline Manager and assigned complaint number 2016-0177. (b) (6), (b) (7)(C)

**FINDINGS:** On May, 18 2016, (b) (6), (b) (7)(C) and SA (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C). Regarding the allegations, on May 3, 2016, (b) (6), (b) (7)(C) decided to drive to the address of (b) (6), (b) (7)(C) to search for (b) (6), (b) (7)(C). Upon arrival, at 12:37pm, (b) (6), (b) (7)(C) took a picture with (b) (6), (b) (7)(C) cellular telephone of (b) (6), (b) (7)(C)'s vehicle, which was parked in the rear of the address listed. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) does not know if (b) (6), (b) (7)(C) worked (b) (6), (b) (7)(C) core nine hours on this day, but confirmed (b) (6), (b) (7)(C) was not at (b) (6), (b) (7)(C) telework location (b) (6), (b) (7)(C), which is (b) (6), (b) (7)(C). Regarding the drug allegation, (b) (6), (b) (7)(C)

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witnessed (b) (6), (b) (7)(C) pick mushrooms (b) (6), (b) (7)(C) and put them in a bag to secure (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) thought the mushroom picking and online posting was odd.

On June 10, 2016, and July 11, 2016, (b) (6), (b) (7)(C) and SA (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) showed (b) (6), (b) (7)(C) a timesheet created in PeoplePlus beginning Sunday, May 1, 2016, to Saturday, May 14, 2016, and asked (b) (6), (b) (7)(C) to verify if (b) (6), (b) (7)(C) recognized the timesheet as one (b) (6), (b) (7)(C) created. (b) (6), (b) (7)(C) initialed and stated (b) (6), (b) (7)(C) recognized the time sheet. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) teleworked at (b) (6), (b) (7)(C) home, (b) (6), (b) (7)(C) on May 3, 2016. (b) (6), (b) (7)(C) worked part of the day at home and part of the day at the (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C). Regarding the allegations, on May 3, 2016, (b) (6), (b) (7)(C) admitted (b) (6), (b) (7)(C) took (b) (6), (b) (7)(C) to a doctor's visit without using sick leave or any other type of official time away from the job. Regarding the allegations of Time and Attendance fraud and using alcohol or drugs, (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) was away from work for approximately two hours. (b) (6), (b) (7)(C) provided (b) (6), (b) (7)(C) explanation and said (b) (6), (b) (7)(C) spent hours making up time (b) (6), (b) (7)(C) lost on May 3, 2016, working on a PowerPoint to present (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C), 2016, (b) (6), (b) (7)(C) added (b) (6), (b) (7)(C) did not use drugs or alcohol on (b) (6), (b) (7)(C) 2016.

**DISPOSITION:** On May 18, 2016, (b) (6), (b) (7)(C) presented the case to the First Assistant United States Attorney (AUSA) (b) (6), (b) (7)(C), Northern District of Texas. AUSA (b) (6), (b) (7)(C) reviewed the facts of the case and stated her office declined prosecution of 18 U.S.C. 641, (Theft) Public, Money or Records in this case, (b) (6), (b) (7)(C), (b) (5), (b) (7)(E) (b) (6), (b) (7)(C).

On August 10, 2016, (b) (6), (b) (7)(C) presented a report of investigation regarding potential administrative action for violation of EPA's Flexiplace Program to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C).

On September 8, 2016, (b) (6), (b) (7)(C) revoked (b) (6), (b) (7)(C)'s Flexiplace Program privileges for six months, which is effective on September 9, 2016.

This investigation is closed.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: April 4, 2016

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-HQ-2015-ADM-0088

CROSS REFERENCE

TITLE: (b) (6), (b) (7)(C)

EPA

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	

**VIOLATIONS:** EPA Order 3120.3A Employee Alcoholism and Substance Abuse  
EPA Order 4711 Anti-Harassment Policy

**ALLEGATION:** On July 1, 2015, the EPA OIG received an anonymous hotline complaint alleging employee misconduct by (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) EPA. Based upon this complaint, EPA OIG Office of Investigations (OI) identified three issues to investigate: (1) Did (b) (6), (b) (7)(C) put (b) (6), (b) (7)(C) hand on the shoulder of a subordinate (b) (6), (b) (7)(C) employee while making a comment about (b) (6), (b) (7)(C) physical appearance; (2) Was (b) (6), (b) (7)(C) sleeping while on duty; and (3) Was (b) (6), (b) (7)(C) intoxicated while on duty.

**FINDINGS:** First, EPA OIG OI investigated whether (b) (6), (b) (7)(C) put (b) (6), (b) (7)(C) hand on the shoulder of a subordinate (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) USA EPA. When (b) (6), (b) (7)(C) was asked about touching (b) (6), (b) (7)(C) shoulder, (b) (6), (b) (7)(C) responded "I don't know," and "I wasn't aware that I touched (b) (6), (b) (7)(C)." (b) (6), (b) (7)(C) was asked whether OI investigators should believe (b) (6), (b) (7)(C) statement that (b) (6), (b) (7)(C) touched (b) (6), (b) (7)(C) and made a comment to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) responded "yes, you should believe (b) (6), (b) (7)(C)," and added (b) (6), (b) (7)(C) has no reason to lie."

Concerning the second allegation that (b) (6), (b) (7)(C) was observed sleeping on duty. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) US EPA, was interviewed about (b) (6), (b) (7)(C) knowledge of this allegation, and stated that on June 15, 2015, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) asleep at (b) (6), (b) (7)(C) desk at (b) (6), (b) (7)(C). When asked about this allegations, (b) (6), (b) (7)(C) stated "I remember my eyes being dried, my eyes being closed, and feet up on the desk." (b) (6), (b) (7)(C) was subsequently presented with a photograph depicting an image of (b) (6), (b) (7)(C) sleeping in (b) (6), (b) (7)(C) office chair, to which (b) (6), (b) (7)(C) responded "Could I have fallen asleep? Maybe." and "I don't know".

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Third, in reference to the allegation that (b) (6), (b) (7)(C) was intoxicated at work, attached memorandums of interview memorialize different observations of (b) (6), (b) (7)(C), some which indicate (b) (6), (b) (7)(C) smelled of alcohol and was behaving as if intoxicated, and another that (b) (6), (b) (7)(C) did not smell of alcohol or act intoxicated. (b) (6), (b) (7)(C) was specifically asked if (b) (6), (b) (7)(C) was intoxicated at work and (b) (6), (b) (7)(C) denied to OIG special agents ever being intoxicated while on duty. (b) (6), (b) (7)(C) attributed (b) (6), (b) (7)(C) behavior to a medical condition (b) (6), (b) (7)(C). This investigation was handled as a purely administrative matter and, as such, no criminal prosecution was sought by EPA OIG OI.

**DISPOSITION:** Based on the aforementioned findings, issues (1) and (2) are supported, and issue (3) is unsupported. This investigation is hereby closed.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: APRIL 5, 2018

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-HQ-2015-CAC-0090

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C), GS-13, (b) (6), (b) (7)(C), EPA

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	NEW YORK	

**VIOLATION(S):** 18 USC § 1001 – False Statements

**ALLEGATION:** This investigation was opened in response to an anonymous hotline submission alleging (b) (6), (b) (7)(C) EPA, lied when (b) (6), (b) (7)(C) reported to management that (b) (6), (b) (7)(C) sustained an injury during a fall. It is alleged (b) (6), (b) (7)(C) actually sustained the injury in a bar fight.

**FINDINGS:** During the investigation, in addition to the question of the genesis of (b) (6), (b) (7)(C) injuries, it was developed that (b) (6), (b) (7)(C) also traveled to (b) (6), (b) (7)(C) in a Government Vehicle, on a non-approved work trip, as an off-duty passenger (b) (6), (b) (7)(C) reviewed numerous documents and conducted multiple interviews. The origin of the injuries sustained by (b) (6), (b) (7)(C) were inconclusive. The unapproved travel was supported.

**DISPOSITION:** At the conclusion of this investigation, (b) (6), (b) (7)(C) was disciplined by (b) (6), (b) (7)(C) management team, and given two weeks of unpaid time off. The case was presented to the United States Attorney's Office, District of Columbia (USAO – DC) who declined prosecution. Based upon the aforementioned, there are no remaining investigative steps and this investigation is recommended for closure with no further action. Should new information become available, the EPA-OIG retains the right to re-open the investigation.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL  
1301 CONSTITUTION AVENUE, NW  
WASHINGTON DC 20004

DATE: NOVEMBER 8, 2017

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-HQ-2016-ADM-0063

CROSS REFERENCE #: OI-HQ-2017-ADM-0116

TITLE: (b) (6), (b) (7)(C) SES, (b) (6), (b) (7)(C) U.S. EPA

CASE SUMMARY REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	WASHINGTON, DC	N/A

**COMPLAINT:** This investigation was predicated upon an OIG Hotline complaint, received on April 20, 2016, on (b) (6), (b) (7)(C) which alleged erratic time and attendance by (b) (6), (b) (7)(C) EPA. In addition, the allegation reported that (b) (6), (b) (7)(C) failed to attend an official conference while on official government travel.

**INVESTIGATIVE FINDINGS:** From January 31, 2016 to February 5, 2016, (b) (6), (b) (7)(C) failed to attend a conference as part of (b) (6), (b) (7)(C) official duties and was considered AWOL. A review of records, receipts, credit card charges and several interviews did not support a finding that (b) (6), (b) (7)(C) was AWOL.

**RECOMMENDATION:** Based upon the aforementioned, there are no investigative steps and this investigation is recommended for closure with no further action.

**RELATED INVESTIGATION (OI-HQ-2017-ADM-0116):** On October 24, 2016, the OIG Hotline received a complaint from (b) (6), (b) (7)(C) alleging domestic abuse, prostitution and drug use by (b) (6), (b) (7)(C).

In this investigation the OIG identified two allegations to pursue. (1) During the period of time from approximately July 19, 2016 to October 21, 2016, (b) (6), (b) (7)(C) was AWOL on multiple days while (b) (6), (b) (7)(C). There was sufficient evidence to support a finding that (b) (6), (b) (7)(C) was AWOL for 18 days. (2) (b) (6), (b) (7)(C) used a controlled substance, violating the provisions of the Federal Free Workplace Program. In coordination with Labor and Employee

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Relations, Agents received the results of two urinalysis tests conducted after reasonable suspicion was developed that (b) (6), (b) (7)(C) was routinely using marijuana. This allegation was supported.

On February 24, 2017, Agents were notified that (b) (6), (b) (7)(C) was presented with a Notice of Proposed Removal and a BAR notice.

On June 8, 2017, Agents were notified of (b) (6), (b) (7)(C) intention to appeal (b) (6), (b) (7)(C) Notice of Proposed Removal to the Merit Systems Protection Board.

On August 29, 2017, (b) (6), (b) (7)(C) entered into a settlement agreement with the EPA.

No further information.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

290 BROADWAY, ROOM 1520  
NEW YORK, NY 10007

DATE: DECEMBER 9, 2014

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-NE-2013-ADM-0041

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C)

CASE SUMMARY REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

**COMPLAINT:** On February 8, 2013, this office received Environmental Protection Agency (EPA), Office of Inspector General (OIG) Hotline Complaint 2013-091. It was alleged that (b) (6), (b) (7)(C)

had been abusing alcohol during (b) (6), (b) (7)(C) duty hours. The allegation of alcohol abuse during the work day also led to allegations of time and attendance fraud by (b) (6), (b) (7)(C). According to the complainant, the allegations were mentioned to (b) (6), (b) (7)(C) but (b) (6), (b) (7)(C) did not address any of those concerns.

**BACKGROUND:** It was alleged that (b) (6), (b) (7)(C) had been consuming alcohol during the workday for several years. It was further alleged (b) (6), (b) (7)(C) misreported the hours (b) (6), (b) (7)(C) worked in People Plus.

**INVESTIGATIVE FINDINGS:** A review of (b) (6), (b) (7)(C) People Plus time and attendance reports, in conjunction with (b) (6), (b) (7)(C) building access records (b) (6), (b) (7)(C) from January 1, 2012 through June 18, 2013, revealed a total of 5 days in which (b) (6), (b) (7)(C) failed to show up for work, but attested to working via People Plus. The 5 days in question were January 13, 2012, February 29, 2012, September 20, 2012, December 6, 2012, and February 6, 2013. In addition, there were 4 days in which (b) (6), (b) (7)(C) claimed to have worked in (b) (6), (b) (7)(C) office (b) (6), (b) (7)(C), but performed an unauthorized change to (b) (6), (b) (7)(C) EPA Flexiplace schedule. The dates in question for this offense were February 8, 2013, March 14, 2013, May 2, 2013, and May 23, 2013. It was noted that on February 6, 2013, (b) (6), (b) (7)(C) was arrested for DUI during (b) (6), (b) (7)(C) Flexiplace workday, but still reported that (b) (6), (b) (7)(C) worked a complete 8 hour day. In total, a loss of \$1,843.20 was suffered by the EPA as a result of (b) (6), (b) (7)(C) misreporting (b) (6), (b) (7)(C) time and attendance.

On June 25, 2013, (b) (6), (b) (7)(C) was interviewed by investigators (b) (6), (b) (7)(C) denied all of the allegations against (b) (6), (b) (7)(C) and indicated (b) (6), (b) (7)(C) supervisor (b) (6), (b) (7)(C) was aware of any changes (b) (6), (b) (7)(C) made to (b) (6), (b) (7)(C)

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work schedule, either via e-mail communication, or a leave slip. (b) (6), (b) (7)(C) stated (b) (6), (b) (7)(C) would provide documentation to prove that (b) (6), (b) (7)(C) changed (b) (6), (b) (7)(C) work schedule, or took leave on the days in question. (b) (6), (b) (7)(C) provided a sworn statement to OI, documenting that (b) (6), (b) (7)(C) worked the following days: December 6, 2012, February 8, 2013, March 14, 2013, May 2, 2013, May 23, 2013, May 28, 2013, and June 14, 2013.

In an e-mail provided by (b) (6), (b) (7)(C) to investigators on July 24, 2013, (b) (6), (b) (7)(C) informed them that (b) (6), (b) (7)(C) had an approved change to (b) (6), (b) (7)(C) EPA Flexiplace schedule on May 28, 2013, and was on a combination of Annual and Sick Leave for June 14, 2013.

On July 25, 2013, (b) (6), (b) (7)(C) was re-interviewed by investigators regarding (b) (6), (b) (7)(C) DUI arrests. (b) (6), (b) (7)(C) initially informed investigators (b) (6), (b) (7)(C) was working at home during (b) (6), (b) (7)(C) regularly scheduled Flexiplace day on February 6, 2013, and was not drinking any alcohol. However, (b) (6), (b) (7)(C) was arrested by the (b) (6), (b) (7)(C) Police (b) (6), (b) (7)(C) at approximately 12:30 PM on February 6, 2013 for DUI, and was not released from custody until around 4:00 PM, on the day of the arrest. (b) (6), (b) (7)(C) could not explain why (b) (6), (b) (7)(C) People Plus time sheet indicated (b) (6), (b) (7)(C) worked a full 8 hours of telework on that day.

During the July 25, 2013 interview, (b) (6), (b) (7)(C) produced e-mail documentation between (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), regarding February 8, 2013, March 14, 2013, May 2, 2013, and May 23, 2013. The contents of the e-mails revealed that (b) (6), (b) (7)(C) had sent (b) (6), (b) (7)(C) 4 separate e-mails requesting a change to (b) (6), (b) (7)(C) EPA Flexiplace schedule. However, (b) (6), (b) (7)(C) did not provide evidence that (b) (6), (b) (7)(C) approved the change in (b) (6), (b) (7)(C) Flexiplace schedule; nor did (b) (6), (b) (7)(C) ever provide evidence to show (b) (6), (b) (7)(C) had approved a change to the Flexiplace schedule of (b) (6), (b) (7)(C). In addition, (b) (6), (b) (7)(C) reported in People Plus that (b) (6), (b) (7)(C) worked a "Regular" 8 hour work day on those 4 days, instead of using the appropriate reporting code for Flexiplace.

## CONSUMING ALCOHOL WHILE ON DUTY

(b) (6), (b) (7)(C), (b) (7)(E)

The DUI arrest on February 6, 2013, occurred at approximately 12:30 PM, which was in the middle of (b) (6), (b) (7)(C) regularly scheduled 7:00 AM to 3:30 PM Flexiplace work day. The (b) (6), (b) (7)(C) arrest report from this day indicated (b) (6), (b) (7)(C) had a Blood Alcohol Content (BAC) of .258, which was significantly higher than the legal limit of .08. In addition, (b) (6), (b) (7)(C) failed a field sobriety test, which was also administered by (b) (6), (b) (7)(C). The arresting (b) (6), (b) (7)(C) conducted an interview of the liquor store clerk at the time of (b) (6), (b) (7)(C) arrest, and it was revealed that (b) (6), (b) (7)(C) attempted to purchase alcohol, but was refused because (b) (6), (b) (7)(C) appeared visibly intoxicated, was staggering, and displayed slow / sluggish speech. (Exhibit 3)

On October 5, 2012, (b) (6), (b) (7)(C) was arrested by (b) (6), (b) (7)(C) at 3:54 AM for DUI. This arrest also occurred in (b) (6), (b) (7)(C) and in addition to failing field sobriety tests, (b) (6), (b) (7)(C) registered a BAC of .264%. (b) (6), (b) (7)(C) initially denied drinking alcohol when being pulled over by (b) (6), (b) (7)(C) but later admitted to "maybe having some wine" before driving. (b) (6), (b) (7)(C) also stated (b) (6), (b) (7)(C) was "on (b) (6), (b) (7)(C) way to work" when (b) (6), (b) (7)(C) got stopped by (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C) was interviewed by investigators on July 25, 2013. (b) (6), (b) (7)(C) did not initially provide any information about (b) (6), (b) (7)(C) DUI arrests until (b) (6), (b) (7)(C) arrest reports were individually produced. (b) (6), (b) (7)(C) subsequently admitted to investigators that (b) (6), (b) (7)(C) consumed some wine during the day of February 6, 2013 and blamed some personal issues as (b) (6), (b) (7)(C) reasons for drinking.

(b) (6), (b) (7)(C) also admitted to investigators that (b) (6), (b) (7)(C) was arrested on October 5, 2012, driving to the park and ride location in order to catch the bus on (b) (6), (b) (7)(C) way to work because it departs at 4:17 AM. (b) (6), (b) (7)(C) admitted to drinking during the evening of October 4, 2012, but denied the consuming alcohol on October 5, 2012. However, (b) (6), (b) (7)(C) was en-route to begin work at 7:00 AM when arrested with a .264% BAC that was captured at the time of (b) (6), (b) (7)(C) arrest.

This investigation developed information to support that (b) (6), (b) (7)(C) violated 18 USC Section 1001 and EPA Order 3120.1 4a (1-3), by misreporting (b) (6), (b) (7)(C) time and attendance in People Plus, as well as purchasing and consuming alcohol while in duty status. Investigation further revealed that on February 6, 2013, (b) (6), (b) (7)(C) also violated (b) (6), (b) (7)(C) EPA Flexiplace Agreement when (b) (6), (b) (7)(C) was arrested for Driving Under the Influence of alcohol (DUI) during the middle of (b) (6), (b) (7)(C) regularly scheduled Flexiplace work day, and reporting via People Plus that (b) (6), (b) (7)(C) completed a full day of work from (b) (6), (b) (7)(C) Flexiplace location. It was also revealed that (b) (6), (b) (7)(C) was arrested on October 5, 2012 for DUI while (b) (6), (b) (7)(C) was on (b) (6), (b) (7)(C) way to work. Both of these DUI arrests occurred in (b) (6), (b) (7)(C), where (b) (6), (b) (7)(C) resides.

On August 1, 2013, (b) (6), (b) (7)(C) was removed from the EPA Flexiplace program.

On August 2, 2013, this investigation was declined for criminal prosecution by the United States Attorney's Office, Southern District of New York (SDNY).

On (b) (6), (b) (7)(C) 2013, (b) (6), (b) (7)(C) was sentenced by the (b) (6), (b) (7)(C) on both DUI charges against (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) was given a sentence of 6 months and 22 days to 5 years on both DUI counts, which will be served concurrently. (b) (6), (b) (7)(C) was remanded to the (b) (6), (b) (7)(C) Correctional Facility immediately upon (b) (6), (b) (7)(C) sentence.

On January 2, 2014, a Report of Investigation was issued to (b) (6), (b) (7)(C) detailing the findings of the EPA OIG investigation concerning (b) (6), (b) (7)(C).

On May 20, 2014, (b) (6), (b) (7)(C) sent (b) (6), (b) (7)(C) a Decision of Proposed Removal letter, which notified (b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) was being terminated from the agency based on:

1. Requesting Sick Leave for circumstances for which Sick Leave does not apply;
2. Being absent without official leave (AWOL);
3. Being on duty while under the influence of alcohol; and
4. Failure to follow leave procedures

According to the decision made by (b) (6), (b) (7)(C), there was supporting evidence in all 4 of these allegations and (b) (6), (b) (7)(C) was notified about a proposal to be removed from employment at the EPA on March 31, 2014.

(b) (6), (b) (7)(C) voluntarily resign from the agency in lieu of termination. According to the terms of the agreement, the effective date of (b) (6), (b) (7)(C) resignation was (b) (6), (b) (7)(C) 2014.

On (b) (6), (b) (7)(C) 2014, the EPA created and approved a SF-52, which indicated the resignation of (b) (6), (b) (7)(C) from the agency.

**RECOMMENDATION:** Based upon the above action taken by EPA (b) (6), (b) (7)(C) is no longer employed by the agency. In addition, the criminal aspect of this investigation was declined for prosecution by the United States Attorney's Office, SDNY. As a result, this investigation will be closed by the EPA OIG, with no further action taken.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: January 29, 2013

PREPARED BY: SA (b) (6), (b) (7)(C)

CASE #: OI-PH-2012-ADM-0128

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	Washington, District of Columbia	

**VIOLATION:**

Misconduct – Personnel

**ALLEGATION:**

On June 4, 2012, the United States Environmental Protection Agency (EPA), Office of Investigations (OI), Office of Inspector General (OIG) received a complaint telephonically from (b) (6), (b) (7)(C), Jiffy Lube Live Theater (JLLT), Bristow, VA. The complaint was relative to (b) (6), (b) (7)(C), EPA employee, (b) (6), (b) (7)(C), Washington, DC. (b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C) was inebriated during the WMZQ Country Musicfest on the weekend of June 3, 2012 and tried to use (b) (6), (b) (7)(C) EPA credentials to access back stage. (b) (6), (b) (7)(C) advised that (b) (6), (b) (7)(C) was very rude and obnoxious between 4:00 pm and 6:30 pm at the JLLT concert.

**FINDINGS:**

On June 12, 2012, (b) (6), (b) (7)(C) was interviewed by OI. (b) (6), (b) (7)(C) positively identified (b) (6), (b) (7)(C) after OI showed (b) (6), (b) (7)(C) a picture of (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) stated that he became involved with (b) (6), (b) (7)(C) after hearing three different conversations through his portable radio about (b) (6), (b) (7)(C) being rude and obnoxious and trying to access unauthorized areas using (b) (6), (b) (7)(C) EPA credentials to do a water check in the restrooms.

RESTRICTED INFORMATION

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On June 13, 2012, OI interviewed (b) (6), (b) (7)(C) Washington, D.C. (b) (6), (b) (7)(C) confirmed (b) (6), (b) (7)(C) had attempted to use (b) (6), (b) (7)(C) credentials to access unauthorized area of the venue. (b) (6), (b) (7)(C) explained (b) (6), (b) (7)(C) may have been worse off than (b) (6), (b) (7)(C) thought with the combination of the heat, medication, and alcohol intake, which resulted in (b) (6), (b) (7)(C) misbehavior.

## DISPOSITION:

On November 16, 2012, (b) (6), (b) (7)(C) provided OI with a copy of the official reprimand (b) (6), (b) (7)(C) provided to (b) (6), (b) (7)(C). This reprimand was in response to a Report of Investigation detailing OI's investigative findings that was provided to (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) advised that based on (b) (6), (b) (7)(C) admission that the incident reflected "stupidity and using bad judgment" a reprimand would be placed in (b) (6), (b) (7)(C) Official Personnel Folder for a period not to exceed two years from the date of issuance.

Since this investigation is complete and appropriate administrative action has been taken, this matter is closed.